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PATENT
Docket No.: 020824-001 10US

TOWNSEND and TOWNSEND and CREW LLP

By: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark Flowers

Application No.: 10/667,242

Filed: September 18, 2003

For: SURFACE POSITION LOCATION
SYSTEM AND METHOD

Examiner: V. Shankar

Art Unit: 2673

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

At the request of Examiner Krista Zele, Applicant is attaching a new
Reissue Declaration. The Examiner is requested to call the undersigned if there are any
further issues relating to the Declaration that need to be addressed.

Respectfully submitted,



Patrick R. Jewik
Reg. No. 40,456

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PTO/SB/51 (11-04)

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

020824-001110us

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 5,877,458, granted March 2, 1999 and for which a reissue patent is sought on the invention entitled Surface Position Location System and Method.

the specification of which

is attached hereto.

was filed on September 18, 2003 as reissue application number 10/667,242and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SI/2B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

by reason of a defective specification or drawing.

by reason of the patentee claiming more or less than he had the right to claim in the patent.

by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

The at least one error upon which reissue is based includes the recitation of, *Inter alia*, a "conductor disposed to be contacted" by a user, for example, in claim 1 (col. 23, lines 49-50 of the application). The inclusion of this phrase in claim 1 renders the original patent wholly or partly inoperative or invalid, because this phrase limits the invention. Neither the phrase "conductor disposed to be contacted" by a user, nor anything similar to it, is recited in current independent claim 17. Claim 17 is therefore broader than claim 1 in U.S. Patent No. 5,877,458 in at least one respect.

(Page 1 of 2)

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		PTO/SB/81 (04-04)	
Docket Number (Optional)			
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.			
Note: To appoint a power of attorney, use form PTO/SB/81.			
Correspondence Address: Direct all communications about the application to:			
The address associated with Customer Number:		20350	
OR			
Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Fax		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of sole or first inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Mailing Address			
Full name of second joint inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Mailing Address			
Full name of third joint inventor (given name, family name)			
Inventor's signature		Date	
Residence		Citizenship	
Mailing Address			
Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.			

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